

# STATUTES OF CALIFORNIA

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## RESOLUTIONS

ADOPTED AT

EXTRA SESSION OF THE FORTY-THIRD LEGISLATURE,  
1919

MEASURES SUBMITTED TO VOTE  
OF ELECTORS, 1920

GENERAL LAWS, AMENDMENTS TO CODES,  
RESOLUTIONS,  
CONSTITUTIONAL AMENDMENTS

PASSED AT THE

REGULAR SESSION OF THE FORTY-FOURTH LEGISLATURE,  
1921



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1921

confirmation by said court and notice thereof to be given in the manner aforesaid unto such corporation, the amount of the award shall be a judgment against said corporation, and may be collected as other judgments in said court are by law collected. Such court may fill any vacancy in the board of appraisers occurring by refusal or neglect to serve or otherwise. The charges and expenses of the appraisers and appraisal as approved by the court shall be paid by the corporation; *provided, however*, that the corporation may at any time before the proceedings hereinbefore mentioned are instituted or completed, in case of sale of stock pursuant to the provisions hereof, elect to permit such dissenting stockholder to subscribe for his proportionate share of such stock issued at the price at which stock is so sold to employees or to persons actively engaged in the conduct of the business of the corporation, in which event the said proceedings shall not be instituted, or, if instituted, shall be terminated upon the payment of the appraisal expenses as aforesaid by the corporation.

Stock subject  
to corporate  
securities  
act.

SEC. 4. Any issue of stock pursuant to the authority of this act shall be subject to the provisions of the act approved May 18, 1917, chapter five hundred thirty-two of the laws of 1917 and any amendments thereto.

Sale of stock  
not affected

SEC. 5. Nothing in this act contained shall be construed to control, limit or otherwise affect the power of any corporation to issue, by way of sale or otherwise, shares of its capital stock, whether to employees or those actively engaged in the conduct of its business or to other persons.

Constitution-  
ality.

SEC. 6. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional.

## CHAPTER 35.

*An act to make available for the use of the United States government suitable places in this state for the public defense and other federal purposes and uses and for that purpose authorizing any county or municipal corporation now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereof, acquire by condemnation or otherwise land within the county or municipal corporation and in consideration of the benefits to be derived therefrom by such county or municipal corporation to convey the same to the United States; conferring on such counties and municipal corpora-*

*lions the power of eminent domain for the purposes of this act and providing the procedure therefor; granting the consent of the state to such conveyance and ceding exclusive jurisdiction to the United States over the land so conveyed, and to repeal an act entitled, "An act to make available for the use of the United States war department suitable places in this state for the public defense, and for that purpose authorizing any county or municipal corporation now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereof, acquire by condemnation or otherwise land within the county or municipal corporation, and in consideration of the benefits to be derived therefrom by such county or municipal corporation to convey the same to the United States for the use of the war department thereof; conferring on such counties and municipal corporations the power of eminent domain for the purposes of this act and providing the procedure therefor; granting the consent of the state to such conveyance and ceding exclusive jurisdiction to the United States over the land so conveyed," approved April 21, 1919.*

[Approved April 2, 1921. In effect July 20, 1921.]

*The people of the State of California do enact as follows:*

SECTION 1. Whenever the board of supervisors of any county or the legislative body of any municipal corporation now or hereafter organized in this state shall consider it desirable or expedient to tender to the United States for the use of the war department or the navy department thereof, and for other federal purposes and uses, a designated tract or parcel of land at such location or locations within any such county or municipal corporation as may be determined upon by the said board of supervisors or legislative body, and such board of supervisors or legislative body shall also determine that it is desirable for the general welfare and benefit of the people of such county or municipal corporation and for the interests of the county or municipal corporation to incur an indebtedness in an amount sufficient to acquire land in such county or municipal corporation aggregating approximately the number of acres so designated at such location or locations as may have been selected and designated by the said board of supervisors or legislative body and in consideration of the benefits to be derived therefrom by such county or municipal corporation, to convey all such lands to the United States to be used by the war department, navy department or for other governmental purposes or uses of the United States, such county or municipal corporation is hereby authorized and empowered by and through its said board of supervisors or legislative body to incur an indebtedness evidenced by negotiable bonds of such county or municipal corporation for such

Indebtedness  
to secure  
land for  
U. S. war  
and navy  
departments  
authorized.



purposes, in any amount not exceeding, together with all existing bonded indebtedness of such county or municipal corporation, five per cent of the taxable property of the county or municipal corporation, as shown by the last equalized assessment book thereof, whenever two-thirds of the qualified electors of the county or municipal corporation voting thereon shall assent thereto, at any election either general or special, at which the proposal to incur such bonded indebtedness may be submitted to such electors in the manner provided by law.

Bonds.

SEC. 2. The bonds authorized to be issued under the provisions of this act in the case of a county shall be issued in the manner provided for in section four thousand eighty-eight of the Political Code, and a payment thereof, both principal and interest, shall be provided for by a tax levy in the same manner as is provided in said section for the payment of principal and interest of other bonds issued by any county, and said section, except as herein modified, is hereby specifically made applicable to all bonds at any time issued under the provisions of this act. The bonds authorized to be issued under the provisions of this act in the case of municipal corporations shall be issued in the manner provided for in an act entitled "An act authorizing the incurring of indebtedness by cities, townships and municipal corporation for municipal improvements, regulating the acquisition, construction and completion thereof," which became a law on February 25, 1901, without the approval of the governor, and the amendments thereto, and the payment thereof, both principal and interest, shall be provided for a tax levy in the same manner as is provided in said act for the payment of the principal and interest on other bonds issued by any such municipal corporation, and said act, except as herein modified is specially made applicable to all bonds at any time issued under the provisions of this act.

Right of  
eminent  
domain  
granted.

SEC. 3. The acquisition of land for the use thereof by the war, navy or other departments of the United States and all such military, naval or other governmental purposes and uses as are now or may be then or thereafter authorized or provided by or under any law of the United States is hereby declared to be a public use, and the right of eminent domain is hereby granted and extended to every county and municipal corporation availing itself of the provisions of this act for every purpose of condemnation, appropriation or disposition intended by this act and such county or municipal corporation is hereby authorized and empowered to condemn and appropriate all lands and rights whatsoever necessary or convenient for carrying out the provisions of this act. Such right of eminent domain may be exercised on behalf of such public use in accordance with the provisions of title seven, part three of the Code of Civil Procedure of the State of California.

Title to  
conveyed  
lands.

SEC. 4. Pursuant to the constitution and laws of the United States and especially to paragraph seventeen of section eight of article one of such constitution, the consent of the legislature of the State of California is hereby given to the United States



to acquire, upon the conditions and for the purposes herein set forth, from any county or municipal corporation acting under the provisions of this act, title to all lands herein intended to be referred to; such title to be evidenced by a deed or deeds of such county or municipal corporation signed by the chairman of said board of supervisors or the chairman of said legislative body and attested by the clerk of such county or municipal corporation under seal, and consent of the State of California is hereby given to the exercise by the congress of the United States of exclusive jurisdiction in all cases whatsoever over such tracts or parcels of land so conveyed by it; subject, however, to the right of the state to have concurrent jurisdiction so far that all process, civil or criminal, issued under authority of the state may be executed by the proper officers thereof within such tract, upon any person or persons amenable to the same in like manner and with like effect as if such conveyance had not been made. The said board of supervisors or legislative body shall have the power to insert in every conveyance made under the authority of this act, such conditions subsequent as such board or legislative body shall deem necessary to insure the use of such lands by the United States government for the purposes herein mentioned and to carry out the provisions of this act.

SEC. 5. An act entitled, "An act to make available for the use of the United States war department suitable places in this state for the public defense, and for that purpose authorizing any county or municipal corporation now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereof, acquire by condemnation or otherwise land within the county or municipal corporation, and in consideration of the benefits to be derived therefrom by such county or municipal corporation to convey the same to the United States for the use of the war department thereof; conferring on such counties and municipal corporations the power of eminent domain for the purposes of this act and providing the procedure therefor; granting the consent of the state to such conveyance and ceding exclusive jurisdiction to the United States over the land so conveyed," approved April 21, 1919, is hereby repealed.

Stats. 1919,  
p. 125,  
repealed.